



FOREIGN AFFAIRS MANUAL

VOLUME 9 – Visas

Transmittal Letter: VISA-313

Date: August 27, 2001

9 FAM 40.32 NOTES, 9 FAM 40.41 REGS/STATUTES, NOTES AND EXHIBIT I, 9 FAM 40.51 NOTES AND 9 FAM 40.63 NOTES

MAJOR CHANGES

1. Changes in format for the Regulations and related Statutory Provisions (which were published as “white pages”) will now be shown as a reference to the related regulatory and statutory cite as sections are updated.

2. 9 FAM 40.32 Notes has been amended to add the Real IRA to list of terrorist organizations.

3. 9 FAM 40.41 Notes is amended to add the fee for review of Affidavit of Support. 9 FAM 40.41 Exhibit I updates the Poverty Guidelines for 2001.

4. 9 FAM 40.51 Notes is amended to address prohibiting substitution of beneficiary in the labor certification and the change in petitioners name, ownership location.

5. 9 FAM 40.63 Notes is added to address the exception from 212(a)(6)(C)(ii).

6. Revisions since the last update appear in italics. Other than formal titles, the italics will be removed the next time the material is updated. Only current changes will appear in italics. Italics provide a historical record of changes.

7. Under the Foreign Affairs Reform and Restructuring Act of 1998, Public Law 105-277, the functions of the U.S. Information Agency related to international broadcasting are transferred to the Broadcasting Board of Governors. Accordingly, all provisions of the FAM previously applicable to USIA continue in effect with respect to the BBG until further notice.

8. Officers are reminded that Department-issued materials not codified in the *Foreign Affairs Manual* or its supplemental *Foreign Affairs Handbook* series generally have no regulatory validity (see 2 FAM 1115.2).

FILING INSTRUCTIONS (Paper Copies)

1. Remove the old 9 FAM 40.32 Notes (TL:VISA-207, 09-19-00, 24 pages) and insert revised 9 FAM 40.32 Notes (24 pages). Remove the old 9 FAM 40.41 Regs/Statutes (TL:VISA-230, 01-19-01, 1 page) and insert revised 9 FAM 40.41 Regs/Statutes (1 page). Remove the old 9 FAM 40.41 Notes (TL:VISA-230, 01-19-01, 29 pages) and insert revised 9 FAM 40.41 Notes (30 pages). Remove the old 9 FAM 40.41 Exhibit I (TL:VISA-187, 03-30-99, 2 pages) and insert revised 9 FAM 40.41 Exhibit I (5 pages). Remove the old 9 FAM 40.51 Notes (TL:VISA-234, 02-02-01, 12 pages) and insert revised 9 FAM 40.51 Notes (15 pages). Remove the old 9 FAM 40.63 Regs/Statutes (TL:VISA-159, 12-20-96, 3 pages) and insert revised 9 FAM 40.63 Regs/Statutes (1 pages). Remove the old 9 FAM 40.63 Notes (TL:VISA-175, 01-15-98, 17 pages) and insert revised 9 FAM 40.63 Notes (21 pages).

2. After inserting the material in the binder, insert this transmittal letter immediately following the TL Checklist, then fill in the entry line for TL:VISA-313, and initial.

DISTRIBUTION NOTICE

1. The *Foreign Affairs Manual and Handbooks* (unclassified) official version can be found on State Department's Intranet site at <http://10.4.64.84>.

2. All posts and offices keeping paper versions of the *Foreign Affairs Manual* are responsible for maintaining the FAM on a current basis (see 2 FAM 1116.5), and for ensuring that all copies (including binders) are either retained or returned to A/RPS/DIR if no longer needed. **When returning excess or unused materials include your office/post symbols and inform MMS/PB and your message center if you need to have your distribution reduced** (this generally applies only to time-sensitive paper issuances). A/RPS/MMS/PRD, Room 1853, 202-736-7470, FAX 202-647-4535, handles all requests for paper copies, including non-Government users (include either fiscal information or payment with request, as appropriate).

3. Use KFAM and AINF TAGS on **all** communications on FAM/FAH issues; direct questions concerning issuance, validity, and updating to A/RPS/DIR. Direct questions concerning substance and interpretations to [the 9 FAM Volume Coordinator, who may be reached at the office indicated at the end of this transmittal letter].

(CA/VO/L/R)